Motion to pass.

Sri M. RAJASEKHARA MURTHY.—I beg to move :

"That the Mysore Sales Tax (Second Amendment) Bill,1969, as amended be passed."

Mr. SPEAKER.—The question is :

"That the Mysore Sales Tax (Second Amendment) Bill, 1969, as amended, be passed."

The motion was adopted.

Mysore Agricultural Produce Marketing (Regulation) (Amendment) Bill, 1969

Motion to Consider

Mr. SPEAKER.—Next item on the agenda.

Sri H. N. NANJE GOUDA.—I rise to a point of order. My objection is about the next item in the agenda itself. The next item is consideration of the Mysore Agricultural Produce Marketing (Regulation) (Amendment) Bill, 1969. Sir, may I draw your kind attention to proviso to 73 (1) :

"Provided that no such motion shall be made until after copies of the Bill have been made available for the use of Members, and that except in cases of Appropriation Bills any member may object to any such motion being made unless copies of the Bill have been so made available for seven days, before the day on which the motion is made, and such objection shall prevail, unless the Speaker allows the motion to be made."

Now, this Bill is dated 16th August 1969 and was supplied to us on 18th August. That means, the Minister in charge of this Bill may move it for consideration on 26th August, *i.e.*, 7 days after it had been made available to Members.

Sri K. H. PATIL.—Let us not be so uncharitable as that. If they have got any difficulty, let them state those difficulties. Then we will consider the question of moving the consideration motion.

Sri H. N. NANJE GOUDA.—The Hon. Speaker is always anxious to safeguard the privileges of the Members, and he is interested in perfect legislation being passed by this House. I therefore request the Chair to allow my objection and direct the Hon. Minister to bring this motion only after 26th of this month and not earlier. I relied upon this Rule. I have got faith in the Chair. I have not looked into the the Bill even. I thought this Bill would come on the 26th. I think my privilege will be infringed if I am not given time. I cannot contribute my opinion till then in formulating a legislation. Therefore, I request the Chair to direct the Hon'ble Minister to bring it only on the 26th.

Sri K. H. PATIL.—I want to know from the Chair whether the Hon. Minister has got any extraordinary urgency to seek the permission of the Chair ignoring the Rule 73. I feel he has used his power under his command and got the ordinance issued. Now there is no hurry excepting for the fact that he has some fear in his mind that if he does not move, something will happen to the continuance of the Ministry. If it is so, we will consider it on humanitarian consideration. If not, let us follow the rule. Of-course for extraordinary cases, permission is there. Therefore, I would like to hear Mr. Nadgouda, who has got rich experience and who is a good democrat, about the extraordinary circumstances that led him to move this Bill.

†Sri H. SIDDAVEERAPPA.—By this time the Hon. Minister in charge of this Bill might have tasted what we on this side of the House feel about this Bill. It is our intention to see that this Bill is thrashed out threadbare. If it is rushed through without going through in detail, the rights and privileges of about 80 per cent of the population who are the producers in this country will be affected. Apart from that, there is a procedure for moving this Bill. Any member may, except in cases of Appropriation Bills, object to any such motion being made unless copies of the Bill have been so made available for seven days before the day on which the motion is made unless the Speaker allows the motion to be made. The Speaker's permission should be taken in extraordinary circumstances. I want to ask why the permission of the Speaker is not taken in this regard. It is neither admissible nor proper to say on the floor of the House what transpired in the Business Advisory Committee. You know that I stated there that it is wiser and advisable for the Treasury Benches to take those Bills which are less controvertial in nature and reserve those important measures to the last so that it may satisfy the wishes of this side. We may take up those controversial Bills for consideration at some leisure. Therefore. I request you to ponder over this matter and see the other non-contevertial Bills are taken up and passed as early as possible. We may take up such measures and pass them in a day or two and reserve the rest of the time for this Bill. I have no doubt this Bill requires not less than 3 clear days because it is bound to raise such heated discussion. I request you as the custodian of this House not to give your consent for being taken up by passing Rule 73.

Sri P. M. NADGOUDA.—I have heard the hon. members. They say that the Bill being an important one may be postponed. I will convince the hon members about the propriety and the reasonableness of the Bill if they hear me when it is being considered. If the rules do not permit the rule may be suspended and this Bill may be taken up.

Mr. SPEAKER.—The point raised by the hon. Members is that under Rule 73, 7 days' clear notice should have been given and that has not been followed.

Sri P. M. NADGOUDA.—It was placed on the Table of the House on 16th. Probably they were all busy with the Presidential election. They might not have looked into it.

Sri H. SIDDAVEERAPPA.—On the 18th, it was posted.

Mr. SPEAKER.—It is a fact that it was printed in the gazette on the 16th and probably it was received and given to the members on the 18th. So, their objection is that they have not sufficient time. Has the Hon. Minister got anything to say on this point?

ಶ್ರೀ ಪಿ. ಎಂ. ನಾಡಗೌಡ.—ಅದು ಇಂಟ್ರಡ್ಯೂಸ್ ಆಗಿದ್ದು 18ನೇ ತಾರೀಖು. ಆದರೆ ಆರ್ಡಿನೆನ್ಸ್ ಮಾಡಿದ್ದು 13ನೇ ಆಗಸ್ಟ್ 1969. ಆ ದಿನವೇ ಇವರಿಗೆ ಪ್ರತಿಗಳನ್ನು ಸಪ್ಲೈ ಮಾಡಿದ್ದು.

ಶ್ರೀ ಕೆ. ಎಚ್. ಪಾಟೀಲ್.—ಆರ್ಡಿನನ್ಸ್ 13ನೇ ಆಗಸ್ಟ್ 1969 ಕ್ಕೆ ಮಾಡಿದ್ದರೆ, ಸಬ್ಜೆಕ್ಟ್ ಟು ಕರಕ್ಷನ್ 13ನೇ ಆಗಸ್ಟ್ 1969 ರಲ್ಲಿ ಆರ್ಡಿನನ್ಸ್ ಆಗಲಿಲ್ಲ. They must have antidated. I know that this ordinance is not issued on 13th August 1969. This Ordinance must have been issued in July. As I see, the Ordinance is dated some other date, other than what the Hon. Minister is mentioning. Therefore, it is not possible that any ordinance might have been issued on 13th August 1969.

Sri H. N. NANJE GOWDA.—Ordinance No. 2 of 1969 is dated July 18th, 1969.

Sri VEERENDRA PATIL (Chief Minister).—If the Chair permits, I would like to say this: It is true that this Bill was introduced on 16th. We had introduced about three other Bills on the same date. This is not the only Bill. The Hon. House has passed all the other three Bills which were introduced on 16th. Although the rule says that 7 days clear notice is necessary, with the approval of the Chair, we can take any Bill for consideration at any time.

The only thing is, we have to seek the approval of the Chair. With the approval of the Chair, any Bill may be taken into consideration. After all, we are not going to pass this Bill today. Let the Bill be taken into consideration and the hon. Members will be at liberty to express their views on the Bill tomorrow.

Sri H. N. NANJE GOWDA.—I am on a point of order, Sir. I beg to bring to your kind notice that if you read the rule, it is not even completely 100 per cent discretion of the Speaker. I will explain:

> "73:...Provided that no such motion shall be made until after copies of the Bill have been made available for the use of the Members, and that except in the case of Appropriation Bills, any member may object to any such motion being made unless copies of the Bill have been made so available for seven days before the day on which the motion is made, and such objection shall prevail, unless the Speaker allows the motion to be made."

That means the discretion vests with every member of this House. If in the case of other unimportant Bills we have not taken objection, it

(SRI H. N. NANJE GOWDA)

does not take away our right to raise objection in respect of important Bills. In respect of those Bills we wanted to co-operate with the Government, we did co-operate. Instead of complimenting us for that, the Leader of the House is trying to find fault with us for taking objection to this Bill under the Rules. It is the duty of the Government to justify why this Bill has to be taken into consideration at an earlier date. If they put forward sufficient reasons, then it is for the Speaker to come to a decision. But the Speaker has to be satisfied about the urgency of the Bill being considered earlier and he must give reasons to the House as to why he is allowing the motion to be taken up earlier.

SRI K. H. PATIL.—I have got a privilege motion, Sir. My hon. friend Sri P. M. Nad Gowda was giving wrong information before this House. He was submitting to this House that the Ordinance was issued on 13th August 1969. It does not seem to be a fact. My friend must have committed a mistake by oversight. Thereby, he intended to make this House believe and make the Hon. Speaker believe that the ordinance was issued on 13th August 1969. The information given by the Hon. Minister is absolutely false, when he said that he distributed copies of the Bill on 13th August 1969.

SRI K. H. SRINIVASA.—I rise on a motion of privilege, Sir. He did not say that it was distributed on 13th August 1969.

SRI K. H. PATIL.—I am prepared to face the privilege motion of my friend Sir, but it is not fair for him to interrupt in this fashion. After I finish, he is at liberty to raise a privilege motion if he thinks I have committed a mistake. On 13th August 1969 the Minister has not at all issued or circulated or got the ordinance issued. He has made this deliberate false statment merely with the intention of getting rid of Rule 73 when the Speaker was not inclined to give him permission, because when the Speaker asked him to convince him. he said that it is very difficult to convince him. Therefore, he came forward with the statement that he had it distributed on 13th. This is not a statement made outside the House. It has not been made without the knowledge of this House. It has not been made without the knowledge of the record. Therefore I humbly submit that the privilege of this House including myself has been affected when the Hon. Minister Sri P. M. Nad Gouda has made a deliberate false statement to make us believe and get rid of Rule 73. Therefore, I feel that on par with the privilege motion that has been moved by my friend Sri K. Puttaswamy against the Hon'ble Member Sri Gopala Gowda. this Privilege Motion be taken into consideration, and permission may be given to me to move the motion of privilege or refer it to the Privileges Committee of this House.

7-00 P.M.

Mr. SPEAKER.—I wish to give a piece of information. We shall adjourn in a few minutes and so I am not in a hurry to give my ruling. My Office staff tells me that the copies of the Ordinance were distributed on the 13th evening probably at their residence or rooms. I am not certain. So I shall get it verified. Sri Patil does not mean that any question of privilege arises.

Sri H. SIDDAVEERAPPA.—Copies of the Ordinance might have been issued on the 13th. But we should not forget this difference. The Ordinance is no Bill. There may be some more clauses in the Bill which are not to be found in the ordinance. Instead of taking it for further discussion tomorrow, I would suggest that seven days' clear time may be given because we want sufficient time to study the legislative measure. That is our object in asking for time.

Sri VEERENDRA PATIL.—I agree with Sri Siddaveerappa. That is why, in the beginning itself I stated that, let the discussion go on tomorrow or the next day. I have no objection to it. But the Opposition members are objecting to the moving of the motion for the consideration of the Bill. I do not think their objection is proper because some other Bills which were introduced three or four days ago were not only taken into consideration but were also passed by the House. We have already passed three Bills. I am not insisting that this Bill should be taken into consideration today and passed today itself. Let the Hon. Minister be allowed to move the motion for the consideration of the Bill. If the Chair says that the motion is moved and the Bill will be taken into consideration, let the discussion go on, on the next day; I have no objection. The intention of the hon. Members on the other side is to shut out even at this stage the moving of motion by the Hon. Minister: I cannot understand this. I do not want any discussion on it today. Let it go on tomorrow. But let the Hon. Minister be allowed to move that motion.

Sri H. SIDDAVEERAPPA.—The Bill is already introduced. It is not taken into consideration. Introductory stage is over. We wanted to raise our objection at that stage. But after a good deal of discussion the Hon. Speaker was pleased to allow the introduction of the Bill.

Mr. SPEAKER.—I have understood the whole issue. I have got certain doubts in my mind. Two points have got to be clarified.

Sri H. SIDDAVEERAPPA.—Please hear us again if you are giving a ruling.

Mr. SPEAKER.—I know that the rules mention that seven days' time should be given before the motion is made. It is intended to give sufficient time to the members to study, make up their minds and take a decision. That is very good. Now what has happened here is that copies were circulated to the members on the 13th. This is the information given by my office. I am not certain about its correctness. Sri

(MR. SPEAKER)

Siddaveerappa says that there are two or three clauses in the Bill which are not found in the Ordinance. Anyway I shall hear him finally before I make up my mind. On the 18th when the Bill was sought to be introduced, it was noticed that members were able to make reference to it clause by clause while invoking Art. 304 of the Constitution. The discussions were such that it looked that the hon. Members had studied the Bill. The other point is about the allotment of time. The Business Advisory Committee felt that one day was sufficient for the Bill and accordingly the list of business was arranged. The House is the supreme master and it can allocate more time. The Committee's Report was placed before the House and it was accepted. Knowing fully well the provisions of Rule 73, the hon. House accepts the Report of the Committee without any dissent. The members have already studied the Bill and no further time may be required for studying it. Practically the entire ordinance is repeated. The time at our disposal is very short. My anxiety is to see that the time at our disposal is utilised to the best of our capacity.

Sri VEERENDRA PATIL.— May I make one more suggestion ? As I understand, the hon. Members want time to study the bill. So I would like to make a humble suggestion that I am prepared to accommodate them. This Bill may be taken for discussion on the 25th. I have no objection. My only request is that the Hon. Speaker may be pleased to allow the Hon. Minister for Co-operation today to move the motion for taking the Bill into consideration. If it is taken for discussion on the 25th the hon. members would not have an opportunity to say that they did not have sufficient time to study the Bill.

Sri H. N. NANJE GOWDA.— I am on a point of order. The Hon. Chief Minister is a very experienced parliamentarian. What is the fun in his saying that the motion for taking the Bill into consideration be made today and the discussion on it postponed to some other date ? That cannot be done under the rules.

ಶ್ರೀ ಕೆ. ಎಚ್. ಪಾಟೀಲ್.—ನಭಾನಾಯಕರಿಗೆ ಇಷ್ಟು ಆತರವೇನು ? ಅಷ್ಟು ಆತುರ ಎದ್ದರೆ, ಮುಂಜೂರಾಯಿತು ಎಂದು ಬರೆದುಕೊಂಡು ಹೋಗಿ.

MR. SPEAKER.— I shall hear the senior member Sri Siddaveerappa tomorrow on this point and then give my ruling.

The House will now adjourn and re-assemble at 1 P.M. tomorrow.

The House adjourned at Ten Minutes past Seven of the Clock, to meet again at One of the Clock on Friday, the 22nd August 1969.

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